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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Group Art Unit: 2662

**Dan A. Preston, Joseph D. Preston,
Robert Leyendecker, Wayne Eatherly, and Rod L. Proctor**

Application No. 09/888,085

Filed: June 22, 2001

For: **NETWORK DELAY IDENTIFICATION
METHOD AND APPARATUS**

Date: August 31, 2001

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INFORMATION DISCLOSURE STATEMENT

TO THE COMMISSIONER FOR PATENTS:

1. Pursuant to their duty of disclosure, applicants draw the Examiner's attention to the documents listed on the accompanying Form PTO-1449.

Copies of the documents are enclosed.
 Copies (a copy) of document(s) _____ are (is) not enclosed because they are already of record in U.S. Pat. Application No. _____, filed _____, which this application relies on for an earlier filing date under 35 U.S.C. § 120. (37 C.F.R. § 1.98(d).)

2. Applicants draw the Examiner's attention to the enclosed copy of copending U.S. Pat. Application No. _____, filed _____, for _____, which is cited in this application.

3. This information disclosure statement is being submitted:

- a. Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.)
- b. After the period set forth in paragraph 1a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)

- i. [] A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed.
 - ii. [] A statement specified by 37 CFR 1.97(e) is set forth below.
- c. [] After the mailing date of a final action or notice of allowance and on or before payment of an issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
4. [] The attorney or agent signing below hereby states that:
- [] each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
 - [] no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.
5. [] Applicant(s) set forth below concise explanations of the relevance of each document not in the English language and/or selected document(s) in the English language.

Respectfully submitted,

**Dan A. Preston, Joseph D. Preston,
Robert Leyendecker, Wayne Eatherly,
and Rod L. Proctor**

By


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FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
44375/21:1APPLICATION NO.
09/888,085INFORMATION DISCLOSURE CITATION
(Uses several sheets if necessary)APPLICANT
Dan A. Preston et al.FILING DATE
June 22, 2001GROUP
2662

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME		CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4	2	1	8	6	5	4	8/1980	Ogawa et al.		370	97	
	AB	4	3	1	0	7	2	2	1/1982	Schaible		179	2EB	
	AC	4	3	6	8	9	8	7	1/1983	Waters		368	46	
	AD	4	4	9	4	2	1	1	1/1985	Schwartz		364	571	
	AE	5	0	1	4	3	4	4	5/1991	Goldberg		455	51	
	AF	5	2	4	5	6	3	4	9/1993	Averbuch		375	108	
	AG	5	5	0	9	0	3	5	4/1996	Teidemann, Jr. et al.		375	356	
	AH	5	5	1	0	7	9	7	4/1996	Abraham et al.		342	352	
	AI	5	8	1	2	0	8	7	9/1998	Krasner		342	357	
	AJ	5	9	1	7	4	4	9	6/1999	Sanderford et al.		342	457	
	AK	5	9	3	0	7	2	2	7/1999	Han et al.		455	502	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER				DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
										YES	NO
	AL	WO 98/53573				11/1998	WIPO	H04L			
	AM										
	AN										
	AO										
	AP										

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

AR	PCT International Search Report, dated May 23, 2000 for International Application No. PCT/US00/01157
AS	
AT	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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I HEREBY CERTIFY THAT THIS CORRESPONDENCE
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Signature

Dan A. Preston, Joseph D. Preston, Robert Leyendecker, Wayne Eatherly, and Rod L. Proctor

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TRANSMITTAL LETTER

TO THE COMMISSIONER FOR PATENTS:

Enclosed for filing in the above-referenced application are the following:

- Information Disclosure Statement
- PTO-1449 (with references)
- Return receipt postcard

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with filing of these papers, or credit overpayment, to Account No. 19-4455. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

**Dan A. Preston, Joseph D. Preston,
Robert Leyendecker, Wayne Eatherly, and
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	AA	5	9	9	9	1	2	4		12/1999	Sheynblat	342	357.09	
	AB	5	9	9	9	1	2	6		12/1999	Ito	342	357.1	
	AC	6	0	3	1	4	8	9		2/2000	Wyrwas et al.	342	357.16	
	AD													
	AE													
	AF													
	AG													
	AH													
	AI													
	AJ													
	AK													

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